

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: AVANDIA MARKETING,  
SALES PRACTICES AND PRODUCTS  
LIABILITY LITIGATION**

**THIS DOCUMENT APPLIES TO:  
ALL THIRD-PARTY PAYOR ACTIONS**

**MDL NO. 1871  
07-md-1871**

**ORDER**

**AND NOW**, this 25th day of October 2024, upon consideration of GlaxoSmithKline's Motions to Exclude the Opinions and Proposed Testimony of Dr. Meredith Rosenthal [Doc. No. 5528] and Dr. Thomas McGuire [Doc. No. 5526] and the responses thereto, and for the reasons set forth in the attached memorandum opinion, it is hereby **ORDERED** that:

1. Defendant's Motion to Exclude the Opinions and Proposed Testimony of Dr. Meredith Rosenthal [Doc. No. 5528] is **GRANTED**.
2. Defendant's Motion to Exclude the Opinions and Proposed Testimony of Dr. Thomas McGuire [Doc. No. 5526] is **GRANTED** in part and **DENIED** in part as follows: a) the Motion is **GRANTED** as to Dr. McGuire's damages calculations using the Rosenthal adjustment, his Scenario 2, and his Metformin calculations; and 2) the Motion is otherwise **DENIED** as to the Dr. McGuire's damages calculations using his Step-Down Adjustment for Scenario 1.
3. By separate order, the Court will set a schedule for supplemental briefing on summary judgment and class certification.

It is so **ORDERED**.

**BY THE COURT:**

**/s/ Cynthia M. Rufe**

**CYNTHIA M. RUFE, J.**